

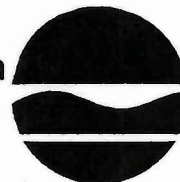
New York State Department of Environmental Conservation

Division of Environmental Permits, Region 8

6274 East Avon-Lima Road, Avon, New York 14414-9519

Phone: (585) 226-5400 • FAX: (585) 226-2830

Website: www.dec.state.ny.us



Denise M. Sheehan
Commissioner

March 8, 2006

David R. Balbierz, New York Area Vice President
Waste Management of NY, LLC
425 Perinton Parkway
Fairport, NY 14450

Re: Notice of Complete Application

Application ID 8-9908-00162/00043

Title V Facility Permit - Minor Modification

High Acres Landfill & Recycling Center

Towns of Perinton & Macedon, Monroe & Wayne Counties

Dear Mr. Balbierz:

Enclosed is a Notice of Complete Application for the construction and operation of a new 181.7 million Btu/hour (MMBtu/hr HHV) enclosed flare. In accordance with 6 NYCRR Part 201-6.7(c)(4) and (5), this notice serves as both a confirmation that the proposed modification is a minor modification of the Title V Facility Permit, and the Department's authorization to commence with the proposed modification. Please be aware that the existing permit conditions applicable to the existing flare will also be applicable to the proposed new flare.

Note that Part 201-6.7(c)(6) specifies that this notice must also be sent to the administrator of the EPA, and affected States. Part 201-6.7(c)(7) specifies that the Department may not issue a final decision on a modification request until 45 days after the administrator has been notified, or until the administrator notifies the Department there is no objection to issuance, whichever occurs first. To allow for this mailed notice to reach EPA, the Department will consider the 45 day period not to end before May 8, 2006, unless EPA specifies a different date.

If you have any questions regarding this letter, feel free to contact either me at 585-226-5402 or Michele Kharroubi of our Division of Air Resources at 585-226-5312.

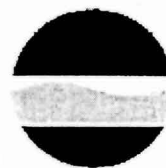
Sincerely,

Lisa M. Porter
Environmental Analyst
Division of Environmental Permits

Enc.

cc (w/enc): Rebecca Zayatz, WMNY, Model City, NY
Sandy Di Salvo, WMNY, Bergen, NY
Jeff Kocian, WMNY, Fairport, NY
USEPA - Region 2 - Air Programs Branch
M. Kharroubi - NYSDEC Division of Air Resources

THIS IS NOT A PERMIT



**New York State Department of Environmental Conservation
Notice of Complete Application**

Date: 03/08/2006

Applicant: WASTE MANAGEMENT OF NEW YORK LLC
123 VARICK AVE
BROOKLYN, NY 11237

Facility: HIGH ACRES LANDFILL & RECYCLING CENTER
425 PERINTON PKWY
FAIRPORT, NY 14450

Application ID: 8-9908-00162/00043

Permits(s) Applied for: 1 - Article 19 Air Title V Facility

Project is located: in SEVERAL COUNTIES in THIS REGION

Project Description:

Waste Management of NY, LLC has requested a modification of its current Title V Facility Permit for the High Acres Landfill & Recycling Center, located at 425 Perinton Parkway in the Town of Perinton for the construction and operation of a proposed new 181.7 MMBtu/hr HHV enclosed flare. Waste Management anticipates a short term need for the enclosed flare as a backup unit and/or for increases in gas flow.

The Department has determined that this modification meets the definition of a minor permit modification in Part 201-6.7(c), and that this notice of complete application, confirming that this modification is minor, constitutes authorization for the applicant to proceed with the modification, as specified in Part 201-6.7(c)(5).

Availability of Application Documents:

Filed application documents, and Department draft permits where applicable, are available for inspection under the provisions of the Freedom of Information Law during normal business hours at the address of the contact person.

State Environmental Quality Review (SEQR) Determination

Project is an Unlisted Action and will not have a significant impact on the environment. A Negative Declaration is on file. A coordinated review was not performed.

SEQR Lead Agency None Designated

State Historic Preservation Act (SHPA) Determination

The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.

CC List for Complete Notice

File

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